

Talking Points for "Wireless Communications Information Update"

- **Heard by the Budget And Govt Affairs Committee July 17 @ 9 AM**

Referenced document Committee will be reviewing [here](#)

Opening

- My name is Sal Espinoza and I am a representative of the Communications Workers of America Local 9509. We represent telecommunications technicians who build and maintain our networks. And we are stakeholders who care about the future of our broadband networks.
- Thank you for the opportunity to speak on the City's wireless communications infrastructure guidelines and policies. We have reviewed the guidelines, as well as the recently signed public-private partnership with Verizon (or MOU), and have a few comments and concerns.

First, on the FCC wireless preemption order

- We stand in alliance with the dozens of cities, counties, and organizations - including the County of San Diego and the California League of Cities - that are challenging the FCC order in court on the grounds that it is an unconstitutional overreach by the federal government.
- CWA filed a "friend of the court" brief in the case, together with the National Digital Inclusion Alliance and the group Public Knowledge.
- We pointed out that the FCC order not only violates basic principles of local control, it prevents cities from properly addressing the digital divide and public safety concerns. Cities need to be able to support equitable network build-out that gives all communities access to new technologies, and maintain review processes that protect our rights-of-way from dangerous accidents. We are optimistic that the Ninth Circuit will side with cities and overturn the order.

On the Wireless Communication Facilities guidelines

- The Wireless Communication Facilities document you all are using as a guide expressly states that "The City retains proprietary rights on all City-owned land." As such, we believe Council has the right, and the duty, to ensure there is transparency and accountability in the way telecommunications companies access the public right-of-way and use public infrastructure.
- The current guidelines fail to address fair labor standards for workers who build and maintain the wireless networks.

- There is no clear transparency mechanism for the public to understand whether the work will be done by unscrupulous subcontractors with poor employment records, or by employers who directly hire their workforce, pay a living wage and benefits, and provide appropriate personal protective equipment.
- There is also no local hiring preference or requirement, even though the work is done in the publicly-owned right-of-way, using publicly-owned assets.

On the Verizon public-private partnership

- We understand the mayor's office pushed through a public-private partnership with Verizon in April, which may have prompted this current Committee hearing. We have concerns about how the deal with Verizon was negotiated, and other community stakeholders are concerned as well. Specifically, the process lacked any public input and transparency.
- CWA recently released a report on Verizon's public-private partnership with the City of Sacramento. That deal was initiated in 2017 and two years later, the network build-out is nowhere near the promised coverage and the company has not delivered key community benefits it promised. And the deal lacks any kind of labor standards. We don't want San Diego to follow the same path. The report is available at our web site www.Fair5G.org.
- Here in San Diego, we hope it's not too late. We believe the community can secure real community benefits, like local hire requirements, if we get the opportunity to participate in negotiations. Supporting our local workforce would be the very least Verizon, or any telecommunications company, could offer if taxpayers are going to subsidize access to our roads, our light poles, and other public infrastructure.
 - This point is especially important, given the mayor gave Verizon even more expedited shot clocks for application approval than is required by the FCC order. Verizon was given 10 days for approval; the FCC order requires 30 days for placement on existing poles and 60 days for placement on new poles. This extremely generous give-away will speed up Verizon's time to market, but will strain our city's budget by forcing Public Works to hire more workers to process applications.
 - Further, the Agreement with Verizon allows multiple construction crews to work concurrently on the same street. Without transparency in subcontracting and fair labor standards requirements, this could present a big problem with underground utility disruptions affecting residents and local businesses, as well as unsafe conditions for both the workers and the general public.

Closing

- We appreciate the opportunity to provide input as the City reviews and makes changes to its processes around wireless equipment siting. We are happy to provide more information and feedback moving forward. Thank you for your time.

Questions

- What are the next steps in making changes to the City statutes for permitting of small cells? This was a condition of the Verizon partnership, but we have not yet seen it on the council docket.
- Is the Council in dialogue with the mayor about the deal with Verizon? How can we bring community stakeholders to the table for input?